

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JASON ASHFIELD,	:	Civil No.: 1:22-CV-01369
	:	
Plaintiff,	:	(Magistrate Judge Schwab)
	:	
v.	:	
	:	
SCHUYLKILL COUNTY, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER**

January 13, 2023

On September 4, 2022, Plaintiff Jason Ashfield (“Ashfield”) commenced this case by filing a complaint. *Doc. 1*. On September 6, 2022, the summons was issued as to all defendants and provided to Ashfield and his attorney. *Doc. 2*. Ashfield was instructed to serve the defendants in accordance with Rule 4 of the Federal R. Civ. P. which requires service “within 90 days after the complaint is filed[.]” Fed. R. Civ. P. 4(m). Ashfield has not served the complaint.

When a plaintiff fails to prosecute an action or fails to comply with a court order, the court may dismiss the action pursuant to Fed. R. Civ. P. 41(b). Here, Ashfield has neither served the complaint on the defendants, nor has he requested an extension of time to do so. It appears that Ashfield may have abandoned this lawsuit.

**IT IS ORDERED** that Ashfield shall show cause, on or before **February 9, 2023**, why this action should not be dismissed pursuant to Fed. R. Civ. P. 41(b) in that he has failed to prosecute this action. If Ashfield fails to show cause, we may deem him to have abandoned this lawsuit, and we may recommend the dismissal of this case.

*S/Susan E. Schwab*  
Susan E. Schwab  
United States Magistrate Judge